



APR 6 2005  
1635  
JW

|  |  |   |
|--|--|---|
| NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD<br>OF PATENT APPEALS AND INTERFERENCES |  | Attorney Docket No.:<br>VERT1330 (Formerly<br>AURO1330) |
| In re Application of: Stack et al.   |  |   |
| Application No: 09/498,098   |  | Filed: February 4, 2000                                 |
| For: METHODS OF PROTEIN DESTABILIZATION AND<br>USES THEREOF                            |  |   |
| Group Art Unit: 1635   |  | Examiner: J.E. Angell                                   |

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Appeals from the decision mailed January 6, 2005 of the Examiner rejecting claims 1-9, 11-38, 40, 50 and 80-87.

|    |                                     |   |  |          |                                     |           |  |            |  |  |  |
|----|-------------------------------------|---|--|----------|-------------------------------------|-----------|--|------------|--|--|--|
| 1. | <input checked="" type="checkbox"/> | Appeal Fee (37 C.F.R. § 1.17(b))  |  |          |                                     |           |  |            |  |  |  |
|    |                                     | <input checked="" type="checkbox"/> other than small entity                         |  | \$500.00 |                                     |           |  |            |  |  |  |
|    |                                     | <input type="checkbox"/> small entity   |  | \$250.00 |                                     |           |  |            |  |  |  |
| 2. | <input checked="" type="checkbox"/> | A petition and fee for an extension of time for reply to the rejection is attached. |  |          |                                     |           |  |            |  |  |  |
|    | <input checked="" type="checkbox"/> | Extension Fee (37 C.F.R. 1.17(a))   |  |          |                                     |           |  |            |  |  |  |
|    | <input checked="" type="checkbox"/> | Other than small entity   |  |          |                                     |           |  |            |  |  |  |
|    |                                     | \$120.00  |  | \$450.00 | <input checked="" type="checkbox"/> | \$1020.00 |  | \$1,590.00 |  |  |  |
|    | <input type="checkbox"/>            | Small entity  |  |          |                                     |           |  |            |  |  |  |
|    |                                     | \$60.00   |  | \$225.00 |                                     | \$510.00  |  | \$795.00   |  |  |  |

02/15/2005 AWONDAF1 00000101 09498098

01 FC:1401

500.00 OP

Attorney Docket No.:  
VERT1330 (Formerly AURO1330)

|    |   |   |
|----|---|---|
| 3. | X | Enclosed is Check No. 574560 in the amount of \$1,520.00 which includes \$500.00 for the Notice of Appeal fee and \$1,020.00 for the three month extension fee. The Commissioner is hereby authorized to charge any other required fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 07-1896. A copy of this sheet is enclosed. |
|----|---|---|

February 11, 2005

Date

  
Michael P. Reed, J.D., Ph.D.  
Registration No. 45,647  
Telephone: (858) 638-6754  
Facsimile: (858) 677-1465

**USPTO CUSTOMER NUMBER 28213**  
DLA PIPER RUDNICK GRAY CARY US LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133

**CERTIFICATION UNDER 37 CFR 1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, **February 11, 2005**, addressed to: Mail Stop: AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Karin E. Harden  
(Name of person mailing paper)

  
Signature

February 11, 2005

Date